

From: Peter Hoff
To: Microsoft ATR
Date: 11/17/01 2:56am
Subject: This settlement is a travesty

I strongly believe that the DOJ has done a disservice to the American people, and indeed, the people of the world, by accepting the terms of this settlement. The settlement essentially absolves Microsoft of any wrongdoing and contains huge loopholes which Microsoft will certainly use to avoid the terms which it feels are not to its advantage.

I speak specifically of the clause which allows Microsoft to avoid revealing APIs on security grounds. I am certain this will be broadly abused by Microsoft, and there is no incentive for them not to, as the oversight committee will be on their payroll and has no way to punish Microsoft even if it wanted to. The arguments Microsoft presents in support of this clause are completely bogus, and I offer as evidence the BSD operating system. Not only is the BSD source code (and therefore all APIs) openly available for anyone to peruse, it has also earned a reputation for being far more secure than any Microsoft product. The same is true of Linux, although it is not considered to be as secure as BSD.

The lack of any punishment for past abuse is especially irksome. Microsoft has shown absolutely, and no signs that they have any intention of changing their ways. Quite the opposite in fact, as Windows XP proves.

This settlement seems to only be to the advantage of Microsoft, essentially giving them a license to continue their abusive monopolistic practices for the next several years, further entrenching themselves.

This settlement is a travesty, a sick joke played on the American people by those who are supposed to defend our interests.

Disappointedly,
Peter Hoff